

House File 2319

H-8120

1 Amend House File 2319 as follows:
2 1. Page 1, before line 1 by inserting:
3 <Section 1. Section 39.3, subsection 7, Code 2011,
4 is amended to read as follows:
5 7. "*General election*" means the biennial election
6 for national or state officers, members of Congress and
7 of the general assembly, county and township officers,
8 and for the choice of other officers or the decision
9 of questions as provided by law and shall include a
10 regular city election described in section 376.1 to
11 fill a vacancy in an elective city office pursuant to
12 section 372.13, subsection 2.>
13 2. Page 11, after line 27 by inserting:
14 <Sec. _____. Section 372.13, subsection 2, paragraph
15 a, Code 2011, is amended to read as follows:
16 a. (1) By appointment by the remaining members
17 of the council, except that if the remaining members
18 do not constitute a quorum of the full membership,
19 paragraph "b" shall be followed. The appointment shall
20 be made within forty days after the vacancy occurs
21 and shall be for the period until the next pending
22 election as defined in section 69.12, and shall be made
23 within forty days after the vacancy occurs regular city
24 election described in section 376.1, unless there is
25 an intervening special election to fill a vacancy in
26 another elective city office in that city, in which
27 event the election for the office shall be placed on
28 the ballot at such special election.
29 (2) If the council chooses to proceed under this
30 paragraph, it shall publish notice in the manner
31 prescribed by section 362.3, stating that the council
32 intends to fill the vacancy by appointment but that
33 the electors of the city or ward, as the case may
34 be, have the right to file a petition requiring that
35 the vacancy be filled by a special election. The
36 council may publish notice in advance if an elected
37 official submits a resignation to take effect at a
38 future date. The council may make an appointment to
39 fill the vacancy after the notice is published or after
40 the vacancy occurs, whichever is later. However, if
41 within fourteen days after publication of the notice
42 or within fourteen days after the appointment is made,
43 there is filed with the city clerk a petition which
44 requests a special election to fill the vacancy, an
45 appointment to fill the vacancy is temporary and the
46 council shall call a special election to fill the
47 vacancy permanently, under paragraph "b". The number
48 of signatures of eligible electors of a city for a
49 valid petition shall be determined as follows:
50 (1)(a) For a city with a population of ten thousand

1 or less, at least two hundred signatures or at least
2 the number of signatures equal to fifteen percent of
3 the voters who voted for candidates for the office at
4 the preceding regular election at which the office was
5 on the ballot, whichever number is fewer.

6 ~~(2)~~(b) For a city with a population of more than
7 ten thousand but not more than fifty thousand, at least
8 one thousand signatures or at least the number of
9 signatures equal to fifteen percent of the voters who
10 voted for candidates for the office at the preceding
11 regular election at which the office was on the ballot,
12 whichever number is fewer.

13 ~~(3)~~(c) For a city with a population of more than
14 fifty thousand, at least two thousand signatures or at
15 least the number of signatures equal to ten percent of
16 the voters who voted for candidates for the office at
17 the preceding regular election at which the office was
18 on the ballot, whichever number is fewer.

19 ~~(4)~~(d) The minimum number of signatures for a valid
20 petition pursuant to ~~subparagraphs (1)~~ subparagraph
21 divisions (a) through (3) ~~(d)~~ shall not be fewer than
22 ten. In determining the minimum number of signatures
23 required, if at the last preceding election more than
24 one position was to be filled for the office in which
25 the vacancy exists, the number of voters who voted
26 for candidates for the office shall be determined by
27 dividing the total number of votes cast for the office
28 by the number of seats to be filled.>

29 3. Title page, line 4, by striking <special>

30 4. By renumbering as necessary.

SCHULTE of Linn